

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ROBERT DAVID ROBINSON,)	
)	
Plaintiff,)	
)	No. 3:13-CV-09
v.)	(VARLAN/SHIRLEY)
)	
ANDERSON COUNTY SCHOOLS and)	
LARRY FOSTER,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is Defendant's Second Motion to Amend Answer [Doc. 38]. Defendants seek to amend their Answer. They note that the trial in this case is not set to commence until September 2, 2014, and they submit that the Plaintiff will suffer no prejudice as a result of the proposed amendments.

As an initial matter, the Court finds that the Second Motion to Amend Answer was filed on October 22, 2013. As of November 19, 2013, the Plaintiff has not responded in opposition to the Second Motion to Amend Answer, and the time for doing so has expired. See E.D. Tenn. L.R. 7.1. The Motion for Leave could be granted on this basis alone. See E.D. Tenn. L.R. 7.2.

Local Rule 15.1 states: "A party who moves to amend a pleading shall attach a copy of the proposed amended pleading to the motion. Any amendment to a pleading, whether filed as a matter of course or upon a motion to amend, shall, except by leave of Court, reproduce the entire pleading as amended and may not incorporate any prior pleading by reference." The Local Rule

further states: “A failure to comply with this rule may be grounds for denial of the motion.” The Court finds that the Defendants have complied with Rule 15.1.

Moreover, the Court finds that the Defendants have shown good cause for amending under Rule 15 of the Federal Rules of Civil Procedure.

Based upon the foregoing, the Second Motion to Amend Answer [**Doc. 38**] is **GRANTED**. The Defendants **SHALL FILE** their proposed Second Amended Answer [Doc. 38-1] as their answer in this case on or before **November 26, 2013**.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge